

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

JOHN WILCOX,

Plaintiff,

v.

Civ. No. 19-296 MV/GJF

MANAGEMENT AND TRAINING CORP.,  
WARDEN R. MARTINEZ,

Defendants.

**ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)**

THIS MATTER is before the Court on Plaintiff's "Application to Proceed in District Court Without Prepaying Fees or Costs" [ECF 2] ("Motion"). The filing fee for Plaintiff's civil rights complaint [ECF No. 1] is \$350.00, which Plaintiff is required to pay notwithstanding his status as a prisoner. 28 U.S.C. § 1915(b)(1) ("[I]f a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee.").

Based on an analysis of Plaintiff's financial status under § 1915(b)(1), *see* ECF 2 at 3-6, the Court finds that Plaintiff owes an initial partial payment of \$35.97. Furthermore, the Court will order Plaintiff to "make monthly payments of 20 percent of the preceding month's income credited to [his] account" until the entire filing fee of \$350 is paid. § 1915(b)(2).

**IT IS THEREFORE ORDERED** that Plaintiff's Motion is **GRANTED**.

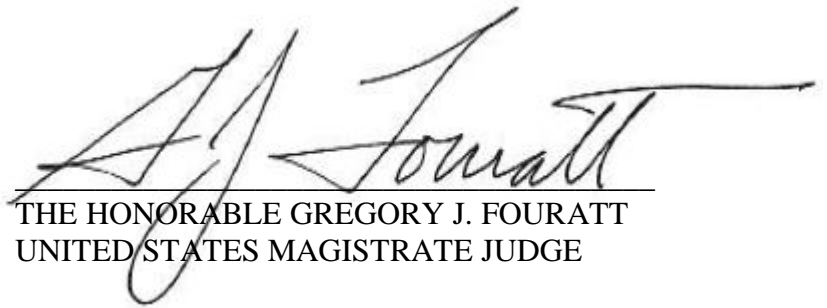
**IT IS FURTHER ORDERED** that, on or before **May 8, 2019**, Plaintiff send to the Clerk of Court an initial partial payment of \$35.97 or show cause why payment should be excused. In addition, Plaintiff shall attach one copy of this Order his initial partial payment.

**IT IS FURTHER ORDERED** that, after making the initial partial payment of \$35.97, Plaintiff (1) file monthly financial certificates and make monthly payments of twenty percent

(20%) of the preceding month's income credited to his account until the entire filing fee is paid or (2) show cause as to why such payments should be excused. Plaintiff's failure to comply with these orders may result in DISMISSAL of the complaint *without further notice*.

**IT IS FURTHER ORDERED** that the Clerk is directed to provide Plaintiff with two copies of this Order.

**IT IS SO ORDERED.**



THE HONORABLE GREGORY J. FOURATT  
UNITED STATES MAGISTRATE JUDGE